UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

DWAYNE SKIBBE and DEBORAH SKIBBE,	Plaintiffs,) CIVIL ACTION
U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF9 MASTER PARTICIPATION TRUST; and LAW OFFICES OF IRA T. NEVEL, LLC,	v.) File No. 16-cv-00192)) JURY TRIAL DEMANDED
	Defendants.) Honorable Harry D.) Leinenweber
U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF9 MASTER PARTICIPATION TRUST,	Counter- Plaintiff,))))
DWAYNE SKIBBE and DEBORAH SKIBBE,	v. Counter- Defendants.))))

NOTICE WITHDRAWING MOTION TO DISMISS [DKT ##35, 36]

Counter-Defendants Dwayne and Deborah Skibbe ("Skibbe") file this notice withdrawing their Rule 12 (b)(1) and 12(b)(6) motion to dismiss [DKT #35] and supporting memorandum [DKT #36] against Counter-Plaintiff U.S. Bank Trust, N.A. as follows:

- 1. On December 13, 2016, Skibbe filed a motion to dismiss U.S. Bank's counterclaims and supporting memorandum pursuant to Federal Rules 12(b)(1) and 12(b)(6). On January 24, 2017, U.S. Bank filed amended counterclaims. [DKT #46.]
- 2. As such, Skibbe withdraws the motion and memorandum as moot. [DKT ## 35, 36]

Dated: February 1, 2017

Respectfully Submitted,

By: ___s:/Mara A. Baltabols___

Mara A. Baltabols – ARDC # 6299033

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CERTIFICATE OF SERVICE

I, Mara A. Baltabols, an attorney, certify that on February 1, 2017, I caused the foregoing **Notice of Withdrawal** to be served upon counsel of record through operation of the Court's Case Management/Electronic Case File (CM/ECF) system.

/s/ Mara A. Baltabols

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Phone: (630) 575-8181 *Attorneys for Skibbe*